

U.S. Serial No. 10/700,500

ASA-350-07

REMARKS

The Applicants request reconsideration of the rejection.

Claims 27-33 are now pending.

The Examiner objected to the drawings as failing to show a "perpendicular magnetic recording medium". In Reply, the Applicants note that the features of the reproducing element believed to be shown in Fig. 16 support the election of the species defined by the Examiner as pertaining to Fig. 16.

This election did not preclude coverage of a magnetic apparatus including the elected species, the Applicants noting that the species election requirement of March 29, 2005, did not include the option of selecting a species of a figure showing a magnetic apparatus having the reproducing element claimed in Claims 27 and 31.

Of course, the magnetic apparatus is implied in the disclosure read in conjunction with the drawings. Although no single figure exists that shows a magnetic apparatus employed with a perpendicular recording medium and the reproducing element having the features of the elected species, the Applicants submit that 37 C.F.R. 1.83(a) is satisfied by the drawings that do, indeed, show every feature of the invention specified in the claims so that the person of ordinary skill in the art can readily understand the scope of the invention.

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That is, reading the specification in conjunction with the drawings, the Applicants believe that the employment of perpendicular magnetic reproduction in a magnetic apparatus can be inferred from the drawings. However, if the Examiner requires a drawing explicitly showing a magnetic apparatus having a perpendicular recording medium and the features of the elected species, the Applicants will provide one.

The Examiner also objected to the drawings for a minor informality in Fig. 13, which is remedied in a Replacement Sheet accompanying this paper.

A new title has been provided as required by the Examiner on Page 3 of the Office Action.

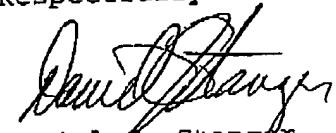
Claims 27-33 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over the claims of prior U.S. patent numbers Nos. 5,390,061; 5,726,837; 6,011,674; 6,278,593; 6,483,677; and 6,687,099. Without admitting to the propriety of the double patenting rejections, the Applicants submit herewith a Terminal Disclaimer to avoid the rejections.

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In view of the foregoing remarks, the Applicants respectfully request reconsideration of the rejection and allowance of the claims.

Respectfully submitted,



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Date: December 9, 2005